

REMARKS

Applicant respectfully requests reconsideration of this application as amended. Claims 1-17 are pending in the application. Claims 1-5, 7, 9-13, and 15 have been amended. No claims have been added. No claims have been canceled. No new matter has been added.

Response to Objections

The Examiner has objected to the drawings for failing to comply with 37 CFR 1.84(q) for failing to use lead lines when necessary. Applicant has submitted replacement drawings for Figures 3 and 4. Figures 3 and 4 have been amended to connect elements 120 through 123 to respective detailed referred to by using lead lines.

Response to Rejections under 35 U.S.C. § 102

The Office Action rejected claim 1, 2, 5, 9, 11, and 13 under 35 U.S.C. § 102(b) as being anticipated by The JPEP 200 Still Image Compression Standard, IEEE Signal Processing Magazine, Sept 2001, page 36-58 (hereinafter Skodras). Applicant respectfully requests withdrawal of these rejections because the cited reference fails to disclose all of the limitations of the claims.

Claim 1 stands rejected under 35 U.S.C. § 102(b) as being anticipated by JPEG 2000. Applicant respectfully submits that claim 1 is patentable over the cited reference because Skodras does not disclose all of the limitations of the claim. Claim 1 recites:

An image processing apparatus for hierarchically compressing and coding image data by subjecting pixel values of the image data to a discrete wavelet transform, quantization and coding for each of one or a plurality of rectangular regions into which the image data is divided, the image processing apparatus comprising:

a hierarchical coding unit to compress and code the image data in a state where the image data is divided for each hierarchical layer, to obtain compressed codes, wherein the hierarchical coding unit comprises:

a first-level coding unit to receive the image data and to create the compressed codes of a first hierarchical layer; and

a second-level coding unit to receive a sub-band of the first hierarchical layer from the first-level coding unit and to create the compressed codes of a second hierarchical layer, wherein the second hierarchical layer is a lower hierarchical layer than the first hierarchical layer; and

a distributively storing unit to distributively store the compressed codes that are divided for each hierarchical layer by the hierarchical coding unit, wherein the distributively storing unit comprises:

**a first-level storing unit to store the compressed codes of the first hierarchical layer; and
a second-level storing unit to separately store the compressed codes of the second hierarchical layer from the compressed codes of the first hierarchical layer, wherein the second-level storing unit is physically separate from the first-level storing unit. (Emphasis added).**

Applicant respectfully submits that claim 1 requires that the distributively storing unit includes a first-level storing unit to store the compressed codes of the first hierarchical layer, and a second-level storing unit to separately store the compressed codes of the second hierarchical layer from the compressed codes of the first hierarchical layer. The second-level storing unit is physically separate from the first-level storing unit. Skodras fails to disclose at least these limitations.

As described in Applicant's previous response, Applicant respectfully submits that nothing in Skodras discloses a distributive storing unit that distributively stores the compressed codes by hierarchical levels. In particular, nothing in Skodras discloses a first-level storing unit to store the first hierarchical layer and a second-level storing unit that separately stores the compressed codes of the second hierarchical layer, where the second-level storing unit is physically separate from the first-level storing unit. As such, Skodras fails to disclose at least these limitations of the claims.

The Office action, however, purports that claim language is broad enough to support the interpretation that the memory addresses, which are responsible for storing the first hierarchical layer (tiles (level 0)) in the code stream in Figure 11 of Skodras, and the memory addresses, which are responsible for storing the second hierarchical layer (precinct (level 1)) in the code stream in Figure 11, constitute the first-level and the second-level storing units, respectively. Office action, mailed April 22, 2008, page 18. The Office action also purports that the addresses responsible for storing the tiles are *physically separate* from the addresses responsible for storing the precincts. *Id.*, emphasis added.

Applicant respectfully submits that, although the Examiner is entitled to the broadest reasonable interpretation of the claim, the interpretation must be consistent with the specification. MPEP 2111, citing *Phillips v AWH Corp.*, 415 F.3d 1303, 75 USPQ2d 1321 (Fed. Cir. 2005). As such, the Examiner should interpret the claim terms of "first-level storing unit," and "second-level storing units," in light of the specification as it would be interpreted by one of ordinary skill in the art. MPEP 2111, citing *In re Am. Acad. of Sci. Tech. Ctr.*, 367 F.3d 1359,

1364. In the present case, the Office action appears to equate memory address as a storage unit, and interprets the memory address responsible for storing the compressed codes of the first hierarchical layer as being separate from the memory addresses responsible for storing the compressed codes of the second hierarchical layer.

The Applicant's specification, however, describes the storing units as separate storing units, not separate memory addresses of the same storing unit. For example, the Applicant's specification described that the storage unit 46, as illustrated in Figure 9, as being formed by a hard disk drive (HDD) or the like, which stores various programs and various data. Applicant's Specification, page 25, paragraph 77, lines 3-4. The Applicant's specification also describes in the context of the server computer of Figure 10 that the HDD 15, which stores the compressed codes, is part of the secondary storage unit 16, as contrasted with the primary storage unit 14, which includes a RAM 13 and a ROM 14. Also, with respect to Figure 11, Applicant's specification describes three different level data storage units, the first having the HDD 15 of the server computer that stores the highest hierarchical layer, the second having the storage unit 46 of the client computer 4 that stores the second highest hierarchical layer, and a third storage unit 46 of another client computer that stores the lowest hierarchical layer. Thus the first-level and second level storing units are described as being separate secondary storage units, including HDD or the like, to store the compressed codes for the particular level, not separate memory addresses. Here, the Office action, in an effort to read the claims on the cited reference, has incorrectly interpreted storing units to mean memory addresses, because those memory addresses are physically separate from one another, even if those memory addresses reside in the same storage unit. This interpretation is not made in a manner that is consistent with the specification as it would be interpreted by one of ordinary skill in the art, and as such, is an improper interpretation of the claimed terms.

In addition, Applicant respectfully submits that nothing in Skodras expressly discloses how the compressed bit stream are stored, nonetheless, that the compressed bit streams are separately stored at particular memory addresses. Skodras only discloses that during the encoding process, the lengths and the distortions are computed and temporarily stored with the compressed bit stream itself, suggesting that the compressed bit streams are stored, but there is nothing in Skodras that discloses that a first set of memory addresses are responsible for storing the tiles, and that a second set of certain memory addresses that are physically separate from the first set for storing the precinct. Without such specificity, Skodras fails to disclose that the

certain memory addresses are responsible for storing the first hierarchical layer, and that other memory addresses are responsible for storing the second hierarchical layer, as purported by the Office action. As such, Skodras fails to disclose all the limitations of the claim.

Given that the cited reference fails to disclose all of the limitations of the claim, Applicant respectfully submits that claim 1 is patentable over the cited reference. Accordingly, Applicant requests that the rejection of claim 1 under 35 U.S.C. § 102(b) be withdrawn.

Applicant respectfully submits that claims 3, 5, 9, 11, 13, and 17 are also patentable over the cited reference for similar reasons described above with respect to claim 1. Given that claims 6 and 14 depend from claims 5 and 13, respectively, which are patentable over the cited reference, Applicant respectfully submits that claims 6 and 14 are also patentable over the cited reference. Accordingly, Applicant requests that the rejections of claims 3, 5, 9, 11, 13, and 17 under 35 U.S.C. § 102(b) and the rejections of claims 6 and 14 under 35 U.S.C. § 103(a) be withdrawn.

Accordingly, Applicant respectfully submits that the rejection under 35 U.S.C. § 102(b) has been overcome by the amendments and the remarks. Applicant submits that claims 1, 3, 5-6, 9, 11, 13-14, and 17 as amended are now in condition for allowance and such action is earnestly solicited.

Response to Rejections under 35 U.S.C. § 103(a)

The Office Action rejected claims 2, 4, 7, 10, 12, and 15 under 35 U.S.C. § 103(a) as being unpatentable Skodras in view of Qian. Applicant respectfully requests withdrawal of these rejections because the combination of cited references does not teach or suggest all of the limitations of the claim.

Claim 2 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Skodras in view of Qian. Applicant respectfully submits that claim 2 is patentable over the combination of cited references for similar reasons as described above with respect to claim 1. In particular, Skodras fails to disclose a distributively storing unit to distributively store the compressed codes for each hierarchical layer separately by hierarchical layer into a storage unit of each of the other electronic equipments. Qian fails to cure this deficiency.

Given that the combination of the references fails to teach or suggest all of the limitations of claim 2, Applicant respectfully submits that claim 2 is patentable over the cited references.

Accordingly, Applicant requests that the rejection of claim 2 under 35 U.S.C. § 103(a) be withdrawn.

Applicant respectfully submits that claims 4, 7, 10, 12, and 15 are also patentable over the cited reference for similar reasons described above with respect to claim 2. Given that claims 8 and 16 depend from claims 7 and 15, respectively, which are patentable over the cited reference, Applicant respectfully submits that claims 8 and 16 are also patentable over the cited reference. Accordingly, Applicant requests that the rejections of claims 2, 4, 7-8, 10, 12, and 15-16 under 35 U.S.C. §103(a) be withdrawn.

Accordingly, Applicant respectfully submits that the rejection under 35 U.S.C. § 103(a) has been overcome by the amendments and the remarks. Applicant submits that claims 2, 4, 7-8, 10, 12, and 15-16 are now in condition for allowance and such action is earnestly solicited.

CONCLUSION

Accordingly, Applicants respectfully submit that the objections and the rejections have been overcome by the amendments and the remarks and withdrawal of these rejections is respectfully requested. Applicants submit that Claims 1-17 as amended are in condition for allowance and such action is earnestly solicited.

If there are any additional charges, please charge Deposit Account No. 02-2666 for any fee deficiency that may be due.

Respectfully submitted,

BLAKELY SOKOLOFF TAYLOR & ZAFMAN LLP

Date: July 27, 2008

By: /Michael J. Mallie/
Michael J. Mallie
Reg. No. 36,591

1279 Oakmead Parkway
Sunnyvale, California 94085-4040
(408) 720-8300